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TO: Office of Water Programs Engineers and Inspectors

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THROUGH: Eric H. Bartsch, P.E., Director
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SUBJECT: Water -- Policy -- Monitoring Requirements for Consecutive Waterworks

Reference WM 549.

Question

How does the current DWSE policy exempting consecutive waterworks from compliance monitoring for certain contaminants affect Consumer Confidence Reports and public notification for consecutive waterworks?

Background and Discussion

Waterworks Regulation 12 VAC 5-590-370 allows the Commissioner to exempt consecutive waterworks from monitoring for contaminants that are required to be sampled at the entry point. That provision originated as a DWSE policy established in Working Memo 549, dated 10/28/87.

The reason for the policy was the 1986 Safe Drinking Water Act Amendments. Prior to that time all compliance monitoring, except turbidity for surface water sources, was accomplished in the distribution system. Starting with the 1986 SDWA Amendments, sampling for contaminants that originate in the source water, and consequently are not expected to change in the distribution system, was changed to entry point sampling. EPA's National Primary Drinking Water Regulations, Section 141.29, allow states to modify monitoring requirements for consecutive systems where it is justified to treat interconnected systems as a single system for monitoring purposes.

The appropriate location for the entry point monitoring required by the Waterworks Regulations is the primary waterworks' entry point and not in the distribution system where the consecutive waterworks has its "entry point". (For the purpose of this memo a primary waterworks is a permitted waterworks that provides finished water to a consecutive waterworks.) Thus, our exemption relieves consecutive waterworks of the burden of any monitoring which could be considered a duplicate of monitoring required of the primary waterworks.

The exemption, however, in no way was intended to mean that the contaminants subject to entry point monitoring no longer apply to consecutive waterworks. The primary waterworks' entry point monitoring results are "transferred" to the consecutive waterworks.

Answer

Therefore, all entry point compliance monitoring by a primary waterworks applies to its consecutive waterworks and is subject to reporting by the consecutive waterworks in its CCR. PMCL and monitoring violations for entry point contaminants incurred by a primary waterworks also apply to its consecutive waterworks, and public notification must be given in the consecutive waterworks.

Related Information

If the consecutive waterworks has conducted its compliance monitoring at its own "entry point", these results should be used by the consecutive waterworks in lieu of the primary waterworks' results, provided we have accepted them as compliance results.

Radiological monitoring may also be exempted, per 12 VAC 5-590-370, for consecutive waterworks. However, both the National Primary Drinking Water Regulations and the Waterworks Regulations are ambiguous as to the required sampling location. In practice we have accepted both distribution system and entry point samples for compliance purposes. We believe the upcoming federal radiological rule will clearly indicate that the required sampling location is the entry point. Until then DWSE will continue to accept either entry point or distribution system samples for radiological analysis.